

ENTERED

November 01, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DALE WILKINSON,
Plaintiff,

vs.

HOWARD ANDREWS, and LISA DIEHI
GREGORY,
Defendants.

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Case No. 4:24-cv-2685

MINUTE ORDER

The Court held an initial conference for this case on October 30, 2024. Counsel reported that they consented to having their case transferred to this Court in their joint discovery/case management plan. However, they must give their consent on the appropriate Consent Form, *see* ECF No. 4, so that the district judge may enter the transfer order.

In addition, counsel discussed the factual issue in the case and noted that resolution requires expert testimony. The Court set dates for the docket control/scheduling order, with trial currently set for April 6, 2026, under the presiding judge's guidelines. If the case is transferred, counsel may request changes to the schedule and a preferential trial setting.

Since Plaintiff amended his complaint, ECF No. 17, Defendants' motion to dismiss is **MOOT**, ECF No. 15. The Court instructed Defendants' counsel to review the amended complaint to determine whether it cured the deficiencies they complained of in their motion to dismiss, and either answer the amended complaint or otherwise respond within the timeframe allowed under the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Signed on November 1, 2024, at Houston, Texas.

A handwritten signature in black ink that reads "Dena Palermo". The signature is written in a cursive, flowing style.

Dena Hanovice Palermo
United States Magistrate Judge